

## **COMMITTEE ON HUMAN RESOURCES/INSURANCE**

**March 28, 2001**

Chairman Lopez called the meeting to order.

The Clerk called the roll.

Present: Aldermen Lopez, Sysyn, Shea, Vaillancourt, O'Neil

Messrs: H. Ntapalis, D. Symonds, Chief Driscoll, P. Beaudoin,  
D. Muller, H. Tawney, D. Hodgen

Chairman Lopez addressed Item 3 of the agenda:

Communication from Atty. Muller regarding the role of the BMA in the administration of CBA.

Chairman Lopez stated this information is confidential. I have been informed by the attorney that if we want to discuss it, we can do it two ways. We can recess and go in the back room or we can waive our privilege and discuss it in public.

Atty. Muller stated the letter needs to be handed out.

Alderman O'Neil asked can we address this at the end of the meeting.

Chairman Lopez answered that is fine.

Chairman Lopez addressed Item 4 of the agenda:

Communication from Diane Symonds, the City's Third Party Claims Administrator, regarding streamlining of the worker's compensation bill payment process.

Mr. Ntapalis stated to my right tonight I have Diane Symonds who is the Vice President of Northern General Services, servicing our third party claims administration for worker's compensation and Randy Sherman from the Finance Office and Howard Tawney. The four of us are pretty much involved in the compensation process to some degree and as the committee's pleasure had been back in January, we looked at and explored details as to how we might be able to streamline the worker's compensation process, particularly the bill payments and

the bills that were really in question were the medical end of things more so than the salary end of things which are known to be indemnity payments that are pretty smooth and straight forward. We have done that. We met as a group and we would like to share with you our information and address any questions you may have. What Howard is putting up right now and he will talk to you about is a flow chart to give you all a better idea as to how the process flows from the time a claim is received from a department on an injured employee.

Mr. Tawney stated the claim is processed by the employee's physician and that will either be submitted through the department but more generally directly through the third party administrator, Northern General and it will be reviewed and transmitted by a computer tape through Information Systems and then provided to Risk Management. There is communication back and forth and verifications between Risk Management and Northern General and then the claim is authorized for payment through the Finance Department and he check is then issued back to the provider. This whole process is basically done weekly so that checks are cut every week. Where Northern General as they review claims if there is something unusual and they are not sure if we should be paying it, that would be pulled out and the communication would go back and forth between Risk Management and Northern General before the claim is processed. On the worker's compensation disability there is a first reported injury and it is sent directly to Risk Management and then on to the state and Northern General. We are informed in Human Resources that there is a disability and usually the department will also inform us at the same time and prepare information about the last 26 weeks of pay to put into payroll and then Northern General will compute the amount of the disability payments that the employee should be receiving and will send us a pay request. We will issue a check on a weekly basis like a paycheck. There is communication between the injured employee and Northern General to manage their claim and make sure that they are getting the proper treatment and seeing physicians. There is also information back and forth with the employee's physician as well. When we do pay disability payments, if an employee has also received sick leave for a certain period of time before the claim is decided to be work-related if they are out injured we pay them sick time and then if it is a work-related injury, Human Resources will work with the employee for them to repay the sick pay that they have received. That is basically how the disability payments are processed.

Alderman Shea asked do employees or people who are disabled get this information by your office contacting them. How do they know the process that you just explained to us?

Mr. Tawney answered there is communication between Northern General and the injured party.

Alderman Shea asked so the person who may notify them about this process would be Northern General you are saying.

Mr. Tawney answered if you are injured you are to report that injury and it depends on how that process goes.

Mr. Ntapalis stated just to expand on that point that Alderman Shea just brought up, one of the things that we have done over the years with the Business Service Officers if you will or the key players in the department who handle payroll or finances for the particular department, they are always updated with respect to any change in the statutes or any change in forms that are to be utilized or procedural issues. They are usually the point person or the conduit by which an injured employee, whether it be a rank and file police officer, firefighter, highway worker...they don't always know what has to be done so they will turn to this individual who is the resident in-house expert. If there is ever an entanglement or a question that they need refined, the Business Service Officer of whoever the individual in the department might be, they can pick up the phone and call Northern General or myself but by and large these folks are sometimes...I have to ask them because they are really on the ball.

Alderman O'Neil stated I was the person who kind of brought this forward based on two cases that I was aware of in the City. The first had to do with a police officer and medical payments being held up and his physician and his place of treatment going after him. We did hear from Diane and she corrected the matter immediately. We had a situation with a firefighter who had a problem, I believe, with his sick leave payment his supplemental insurance was held up by Human Resources, which I have been told by the City Clerk is illegal to do. The point being with this whole thing there are too many hands in this. I don't look at either of those charts and say that is streamlined or that is very efficient. Unfortunately the one who suffers is not the individual department and it is not Information Systems, Human Resources, Risk, Finance or even Northern General, it is the employee. I will thank Diane for responding in that situation and it led to a meeting between Harry, Jim Lally from Northern General and myself so that I could understand our system and it took about two hours to explain it. It is not a very efficient system. In my opinion, where there is confusion there is cost. We are self-insured. It was interesting to read in Diane's letter to us of January 29 that the City of Manchester is the only third party administrator client that does not allow us to issue the checks directly. I think Jim Lally pointed that out to me the night we had met and I asked him earlier tonight...they have 28 municipal clients that they issue the checks for and the City of Manchester is the only one that they don't. One other thing is additionally the service is already included in their administration fees. I just think we need some work on this. We need to come up

with a format for employees like one contact person. It is nice to say that it is the Business Service Officer in the respective department, but you can get different opinions within those departments. I would rather see one, whether it is in Harry's office, one person that they call with a question so that they get a consistent answer. We even talked about issues...I learned of a new phrase called modified duty. I used to call it light duty but it is now called modified duty. We don't encourage that in the City of Manchester to the best of my knowledge. I was a little taken back with the recommendation to receive and file because I believe we need some work with this and it needs a lot of work to be honest with you.

Chairman Lopez asked Mr. Sherman to respond to the third party administrator issuing the check.

Mr. Sherman answered we used to handle it that way. That does not then eliminate the need for the Finance Department to put their hand on every one of these documents. We still go through our audit process. By having the third party administrator actually produce the checks, what that then means is we don't have access to any history in our system because they are operating on their own system and we also know have a separate checking account that has to be issued and we now have 1099's that are an issue because again we are all running on separate systems. That was one of the things when we came on HTE we said listen if we can go to a voucher system and we can actually get a tape and load it into our system now the City has all the detail in the system. Rather than continuing to go back to paper documents, it is now on-line. We go in and check for duplicate payments and we can check the history on specific employees and specific vendors. Instead of the third party administrator issuing 10 checks to Elliot Hospital, we now issue one check to Elliot Hospital because we can combine all of those. I think that we have actually reduced this down to its bare minimum as far as what can happen. Even if the third party administrator issues those checks, that doesn't take Finance or Risk out of the process. The only one it takes out of the process is Information Systems.

Alderman O'Neil asked but are the 28 other communities that they serve wrong.

Mr. Sherman answered I am not sure how those other communities are operating.

Alderman O'Neil replied they just said they have 28 municipal clients that they cut the checks for.

Mr. Sherman responded I know that when Scott Wentzell used to do it they used to always push us to go the other way.

Alderman O'Neil replied I am not talking about Scott Wentzell I am talking about Northern General. Are the other 28 clients they have wrong?

Mr. Sherman stated I will gladly take those references and go and talk to them. I don't know the size of those communities.

Alderman O'Neil stated I am not debating the need at some point for Finance to audit, but there is a delay in this process of getting these checks out. It is not intentional, but there is a delay and again the person who suffers with this is the employee because the place where they are receiving medical treatment, whether it is a physician's office or physical therapy or whatever, they are not going to go to City Finance and they are not going to go to the Police Department or Information Systems or to Risk Management. They go to the employees looking for the money.

Mr. Sherman replied but cutting checks isn't a whole lot...

Alderman O'Neil interjected Randy it delays it at least two weeks at best.

Mr. Sherman replied no it doesn't. When we get the information we get it on Monday or Tuesday and those checks are out Thursday or Friday. It is the same week and again whether it is a voucher or a check with attached documentation, we still go through that audit process. Those checks are going out the same week we receive them.

Alderman O'Neil responded not to the best of my knowledge they are not.

Mr. Ntapolis stated I would like to expand on that because I live with this daily and have for a number of years and I have seen the evolution of how our program has gone. It has probably been as fine-tuned, with the exception of some mechanical issues that need to be met with checks and balances, as it can be. The individuals that we are talking about – one firefighter and one police officer, there were some billing issues. Now you are looking at bills that are processed in a given year, some 6,000 or well over 100 per week. We are regulated by law on how quick we have to turn these bills around. Howard is regulated by law on how soon he pays or we are in trouble and we are in violation subject to civil penalty. We meet those demands so out of 6,000 bills if there are a couple that are flagged, it is still not a bad record. I don't mean to play it light to the Aldermen I mean these folks had legitimate concerns when it was brought to our attention and we intervened.

Chairman Lopez stated I think Alderman O'Neil has a point. The main issue is the employee himself regardless of what the administrative problems are, the

employee has to be taken care of because he needs that paycheck and it needs to be taken care of. I am not saying that you are not doing that and I don't want to imply that but that is the goal. When somebody gets hurt and goes on worker's compensation or whatever, unless you have been there you don't know what goes through that individual's mind.

Mr. Ntapalis replied with all due respect we have Diane Symonds who had been the former labor commissioner for a number of years. She is very sensitive obviously to the law changes and so forth and she is here and she can address your concerns.

Chairman Lopez stated I would like to give her an opportunity to speak because she came down here.

Ms. Symonds stated just to clarify a couple of things and perhaps Mr. Lally and Alderman O'Neil didn't get into all of the details but the 28 municipalities that we provide services to are part of the NH Municipal Association Trust. That is one single account for those 28. We also work with the city of Dover directly and provide similar service and it is the same process. What we found is with payments that...we met with the Finance Department on a number of occasions and more recently we actually sat down and walked through the process step by step because I think some of us and I was concerned that I didn't fully understand what happened to the voucher once it came into the City system. What we learned was there were actually two people involved in the process so we found that it made more sense to eliminate one set of hands and make it more streamlined from that approach so it actually would work its way right through without any hold up. I know one specific case that was on a health club membership where there was a problem with the way the actual billing was formatted and we resolved that with the provider. I am not familiar with the supplemental disability pay issue as specifically as I am on the other case but I have to say that I commend the Finance Department as well as Risk Management who worked very diligently to get these things resolved. The Business Managers in each department are communicating with us sometimes four or five times a day to make sure that we are crossing our T's and dotting our I's and we are on Elm Street so physically we are not far away and we can continue to shuttle things back and forth if we need to. I am extremely sensitive to injured workers getting paid on a timely basis. Not only is it a violation of their rights for their payments to be held up, but it doesn't make good business sense and the administrator or the payer or in this case the City could be subject to civil penalties if that is not done timely so it is very important that we do it in a timely manner. We know that it is their bread and butter. You can't just give up...I couldn't give up my paycheck for any given period of time and I know an injured worker couldn't either regardless of what their pay status is or how much they earn or what they have saved. It is very important for us to maintain

that level of integrity and to be responsive and receptive to them and not to leave things and say oh well we can put that off for another week. Our turn around in the office is three days so when we get the information it is processed within three days and it is sent down to MIS and then to Finance. We really have tried to make it the best process possible. The unfortunate thing is when you have a worker's compensation case, what makes it difficult is every case is different. Every injury is different, every individual person is different and every circumstance is different. Those things need to be evaluated and sometimes the individual doesn't come forward promptly. Sometimes a person may be on vacation so we are concerned about a missing link and we follow-up with that as well. I know the amount of hours that Harry puts in to make sure that this is done in a timely manner and I certainly know that our staff works very diligently to keep it moving.

Alderman O'Neil stated, Diane, I was aware that many of the communities in those 28 were part of a pool with the NH Municipal Association and I was aware of Dover. How many Massachusetts communities do you handle?

Ms. Symonds replied I believe five or six.

Alderman O'Neil asked in those communities do you cut the check or does the municipality cut the check.

Ms. Symonds answered we cut the check in those communities.

Alderman O'Neil asked would you consider if you were making a presentation to a City that is currently not a client, would you use the City of Manchester as a model.

Ms. Symonds answered we normally use the City of Manchester as a reference. As a model...

Alderman O'Neil interjected I will take the lead from my colleague from Ward 2 and ask yes or no. Would you use Manchester as a model?

Ms. Symonds answered we certainly would.

Alderman O'Neil asked so you think our system works very well.

Ms. Symonds answered I think it does, especially given the size.

Alderman O'Neil stated that completely contradicts the letter you sent on January 29.

Ms. Symonds stated the end point of that process is what we...the one person involved who has been removed was really the problem to the whole system. I don't want to cast dispersions on individuals but we had someone who held things up for no apparent reason. They didn't understand certain issues and was concerned with questioning things that really weren't valid and that is where the problem was.

Alderman O'Neil asked can we be made aware of that either tonight or later because that is the first I know of this. It has never been mentioned to me before.

Ms. Symonds answered I think that is where the difficulty was.

Chairman Lopez stated and that problem has been solved.

Ms. Symonds replied yes. We have changed the process.

Alderman O'Neil asked can we find out exactly what happened, who was involved and what the position was.

Ms. Symonds answered I don't see why not unless...

Chairman Lopez interjected Harry will get that information to us.

Alderman Gatsas stated keeping the checkbook in our hands is something that I would recommend that we continue to do. We should have the checkbook not only for worker's compensation but we should have the checkbook for health insurance, which we do not. It is very important that the claims that are processed on the worker's compensation side are processed by Finance so that they make sure that those individuals are City employees. Obviously names fall through a crack. There could be another municipality employee who could be getting City money by mistake. I will continue to say that the checkbook should stay in our hands and that is the proper business for adjudicating claims. I guess my second question is why does MIS get involved in the flow of a claim.

Ms. Symonds replied the reason is that it makes it more efficient to do it electronically and transfer the information versus having someone else key in all of that information. The programming was done specifically for the City. The information is downloaded so that it can be reloaded into your computer system without having an individual reenter all of that information. I think that last week or the week before, in one given day 187 vouchers were transmitted.

Alderman Gatsas stated I understand that the time is three days between insurance and MIS.



Ms. Symonds replied it is three days from the time we receive it on average before it is received by the City.

Alderman Gatsas asked what is the time span between MIS and Finance.

Mr. Sherman answered Information Systems runs in the evening and they get the tape. If they get it today they will run it tonight and it will be in HTE tomorrow.

Alderman Gatsas asked and then you cut a check.

Mr. Sherman answered once we get the invoices in hand and can go through them, we cut the check that same week. Again, it typically happens Monday or Tuesday and then Thursday or Friday the checks are out.

Alderman O'Neil stated according to the flowchart it goes from Northern General to Information Systems to Risk and then to Finance. It doesn't go right from Information Systems to Finance.

Mr. Ntapalis replied what the Risk Manager does is he looks at the summary put together to make sure that the cost...I am approving the money.

Alderman O'Neil asked what is your turnover, Harry.

Mr. Ntapalis answered one day.

Alderman Gatsas asked why are you looking at it.

Mr. Ntapalis answered because the appropriation that the Board gives for the expenditure of the self-funding rests with me and I have to make an approval in order for those funds to be expended. What I am doing is looking at it to make sure that these are legitimate comp claims. It is a check and balance over the work that we do just to make sure that it is appropriate.

Alderman Gatsas asked so you are actually doing the TPA.

Mr. Ntapalis answered no. I am doing the approval of funds to be expended.

Alderman Gatsas asked if they send in a claim saying it is \$2,000 and you look at it and you question it and say it should be \$1,000 what do you do.

Mr. Ntapalis answered pick up the phone and we talk.

Alderman Gatsas stated so you are doing TPA.

Mr. Ntapalis replied on those occasions or if we see a redundancy or if we see something along that line. There is a check and balance there. The turnaround time is one day.

Alderman Gatsas asked so you are doing the TPA. I guess my major concern is the modified duty. Now Alderman O'Neil brought that up and somebody is going to have to give me an awful, an extremely good answer from the visions from above of why we would not use modified duty.

Mr. Ntapalis answered we do.

Alderman O'Neil stated we don't.

Chairman Lopez stated I want him to explain modified duties first of all.

Mr. Ntapalis stated it has been called light duty or modified duty or alternative work but the bottom line is that built right into the statute that governs worker's compensation alternative duty is a must. The employer has to be able to provide it. Is it embraced by all departments willingly to have someone who is disabled come back in their ranks and receive a full check? No. The Alderman is correct. A lot of the department heads know that to get the physical work done they may have to put someone on time and a half and still have a disabled body there at the office working.

Alderman Gatsas replied I am going to stop you there for a second and put you on the spot. I think that this Committee and the full Board should receive a letter from you of a list of any department head who refuses to use modified duty because if they are, they are putting our worker's compensation pool and management that we gave you an additional person in the budget last year to look at that and make sure employees are getting that. How many employees do we have on light duty right now in the City or modified duty?

Mr. Ntapalis responded I don't even think there are six right now.

Alderman Gatsas asked how many people are available or would you consider in your professional opinion. I don't mean to...in your professional opinion how many people should be on modified duty?

Mr. Ntapalis answered it depends on how many are out on total.

Alderman Gatsas stated I will ask the third party administrator to answer because you are just checking her work anyway.

Ms. Symonds replied I believe we have approximately a dozen people who are eligible for temporary total disability or temporary partial disability and half of them are working in a temporary alternative duty basis right now. Some are not physically able...have not been physically released from their health care providers to actually perform light duty. That is why some are still out.

Alderman Gatsas responded so what you are saying is that of the employees who are out on worker's compensation, the ones who can come back to modified duty have done so and we have no department where a department head has said we don't want an employee back at modified duty.

Mr. Ntapalis stated no because they understand the law. They are reluctant at times and they may moan and groan but there is nobody who is in defiance of the law who needs to be reprimanded in any sense. They raise legitimate concerns budgetarily that it impacts on their salary line. They sometimes have to bring in people at time and a half if you have a light duty individual but no one has shut the door on it. There may not be as many jobs as we would like to see be rendered available for light duty within a department. The luxury of the larger departments is probably more so. In some of the smaller departments it may be labor intensive. It is difficult at times but we have even placed people in other departments, Alderman, from the one they came from.

Alderman O'Neil stated I want to go back tot his payment on medical bills. If I did the math right on the flow chart and if I am wrong I will admit it but if I am a physician and I walk into Northern General's front door and submit a bill according to this flowchart, at most eight days later I should be paid.

Mr. Ntapalis replied that is correct.

Alderman O'Neil asked so if I do a poll of medical providers in this City do you think I am going to find that they are getting paid in eight days.

Mr. Ntapalis answered the turnaround time as Randy had indicated is a lot faster than it was. Not to cast dispersions at Scott Wentzell because the system was structured different but it could have then taken as many as 30 days. As I should point to this Committee, 30 days is the law for turnaround time for a medical bill. We have 30 days without being sanctioned and we do it in much less time – within a week. We could take as much as 25 or 30 days but we just don't do it. In the old days though, we did.

Alderman O'Neil stated so if my eight days is correct and nobody is challenging me so it is, what is the percentage and I will throw this out to anyone, what is the percentage that are paid in eight days in this City. Is it 50% or 80%?

Mr. Ntapalis asked how many bills are paid within that eight-day turnaround. I would say probably 90+%.

Alderman Vaillancourt asked are we contending that some doctors or hospitals are upset because they are not being paid on time because I use my dental plan here and I tried to pay my dentist and he said don't bother to pay me until next month. I don't know of any doctors...are people complaining about this.

Mr. Ntapalis replied it is very isolated. If a medical provider should ever complain, something has usually fallen through the cracks or something has been challenged. As we said in the old days to answer that question, yes. Only on rare occasions would the commissioner ever get a complaint from a provider. I think with the City of Manchester she knows our track record better than anyone else. We don't have many complaints lodged against Manchester.

Alderman Vaillancourt stated you said that you have to look at these and check over the third party and if there are problems you will call somebody. How many times do you end up having to call somebody if there is a problem? What percentage would that be? Almost never?

Mr. Ntapalis replied rarely. A fraction of 1%.

Alderman Shea stated let's assume that somebody goes to the dentist and they pay a dentist bill. Does it take them 30 days to get compensation back?

Mr. Ntapalis replied I couldn't answer that question. Howard might know the answer.

Alderman Gatsas stated that is not worker's compensation related.

Chairman Lopez asked is there anything that either of you would like to see done differently that needs to be changed to make it better or are there any Committee members who have something that we want them to change. Is there anything you would like to see changed, Harry?

Mr. Ntapalis answered we didn't take the Committee's request very lightly. In January you brought a very valid issue to our attention and you said there must be some things that could be streamlined. Before taking the time to meet with you this evening, we met collectively last week with Northern General, the

Information Systems people, Howard and his staff and my staff and went over every little detail step-by-step almost in a time and motion as to how we deal with every claim from the time it is initiated in a department to the time that it ends up getting paid. One of the things that we did find and we went ahead and streamlined it was a mechanical issue. There were two people within Risk who were doing some redundant work. There was no need to do it. One was fine with the idea that they are going to be back-up if the other one is ill or on vacation but there was probably an added day in that arena in doing the key inputting that we have eliminated now. If it was eight days or seven days, you can reduce it by one but that was the best that we could possibly come up with putting all of our think tanks together.

Ms. Symonds stated I believe Harry has made the point because we didn't realize what was happening at such an intricate level until we actually walked through the process one step at a time and looked at every little detail and realized that one individual was able to handle this exceptionally well and process things through and another individual had more difficulty with it. There were two sets of hand in the process and it really only needed one.

Mr. Sherman stated sitting here just looking at this process again, one thing I would say is Finance used to handle worker's compensation when Payroll was part of Finance and I guess what I would add is you can go through all of the training up front with employees but when it happens to them it is something new and they can relate. When you go to employee training they sometimes have a that is never going to happen to be attitude. We always have a hard time trying to communicate the process to the employee. I agree with Harry that the Business Service Officers and the employee staff out there in the department do the best job that they possibly can but the anxiety is there and it is rarely a training issue. As far as the process goes, the only way that I can possibly see that you could cut maybe a little bit of time out of this is rather than sending Information Systems a physical disk for them to upload if it could be done electronically and we could maybe get it one day earlier. Instead of it being an overnight process, it can be sent at 3 PM and we can get it that one day earlier. There may be a little bit of room there but it has been squeezed. Even when we came on to HTE that is when we changed the process and as Harry said we have eliminated the one extra body. I am not sure there is much else you can do.

Alderman O'Neil stated my whole point and I hope that people didn't think that time was necessarily my concern but all it takes is one of these hands...we have a lot of hands involved and we all admit that. All it takes is one of those hands to drop the ball and it screws up the whole system. That is my point. I still believe this flow chart if this was private business we are losing money I think. If someone drops the ball, the whole system fails. I guess that everybody involved

believes that we have this as fine-tuned as possible and I have to support you on that. I would like to see two things. We have to set-up a one contact person whether we set-up a worker's compensation hotline with Northern General or something that...because what I am afraid of is we can do all of the training in the world but if you have five departments with five business service officers you can have five different interpretations. That drops the ball. I would like to see one phone number set-up and given to the employees in their paychecks periodically that just says if you have a worker's compensation call...and if it is Risk Management fine and if it is Northern General fine. Do you do that for any other customers, Diane?

Ms. Symonds replied yes we do. Alderman O'Neil if I can just explain to you we have a claims team so once we receive the first report we initiate a phone call to that individual and then a visit is actually made if the person is out of work. We actually visit with him and go over everything.

Alderman O'Neil asked but if for some reason, Diane, that person drops the ball on your end and sometimes things happen...

Ms. Symonds interjected we have four people working on that.

Alderman O'Neil stated all I am saying is that I would like to see one person whether it is call Diane Symonds at her number that any employee in the City can call with a concern. My point is that we should have one person to contact. I think that would be helpful and I would like to follow-up on Alderman Gatsas' point. I think we have to work with this modified duty. I know it is the law, but I don't think it is the practice and I think if we need to have a strong message from this Board that it will be used because remember modified duty costs the departments money because it comes out of their salary. If the person is out collecting worker's compensation it is not being charged to salary. We need to...the bottom line is both of those are coming out of the same pot.

Mr. Tawney stated I am charging their salary with worker's compensation. It is charged to the salary line of the department.

Chairman Lopez asked is there an individual who constantly is on worker's compensation. You don't have to give me any names.

Ms. Symonds answered I think Harry can answer that better given his history, but we do have what we call multiples.

Chairman Lopez stated when I worked at the Post Office we had those to so I know what you mean. What kind of procedure do we have to follow-up and make sure that we get them modified duty?

Mr. Ntapalis replied your question is a very valid question. There are, as Diane mentioned, multiple issues. Those that trigger a flag with us immediately and we may see several in one year and it prompts us to think are they just accident prone, are there things they are doing wrong, are there questions regarding the claim that they filed. We implore any number of measures, even extreme at times if we have good indication that there might be some sort of a claim that wasn't legitimate. We don't shy away from having private investigations done. That is done as a matter of routine and a matter of course if necessary. It is rare. It doesn't have to be done often I am pleased to say but those who have repeat problems, especially now with the safety officer and the safety officer we have had in the past, we go directly to the department head and the supervisor to find out what happened to Johnny Jones or Sally and how could that have been prevented. If they turn out to be legitimate we try to improve with the employee their particular work habits or the equipment that they are using or the environment that they may be set in or it may even require training. When training takes place it is sometimes individualized for that target person but usually generically it is done for any group. If you have repeats for example in School Food and Nutrition and I know that Jim Lally and the Safety Officer just put on a wonderful training seminar which Mark Burkush had all of his staff participate in, but they will target that whole group and a lot of them walk away and basically say look we didn't know they were doing unsafe practices or we didn't realize that reaching or stooping or doing these kind of things would cause a lot of the things that they do. We try to target it.

Chairman Lopez stated I think it is an area that you have to look at very carefully. If you ever run into any problems or anything or you need any assistance from the Board please bring it to our attention.

Alderman Gatsas stated I think last year when we talked during the budget cycle there were either six or seven long-term worker's compensation cases. How many are there today?

Mr. Ntapalis replied I would hate to tell you those six or seven pretty much were lump sum but there are some in the bullpen. There are some other individuals who have since reached maximum medical and we are in situations where we are looking forward to this upcoming budget that I know that you folks will be wrestling with pretty soon. The likelihood of them returning to some of their labor-intensive work may never happen and we are taking the measures right now to lump sum some of those folks. They are young. In some instances high wage

earners and in some instances low wage earners but that may be the alternative that we have from a financial perspective.

Alderman Gatsas asked how many.

Mr. Ntapalis answered you are probably looking at another four to five individuals with most of them from Public Works.

Alderman Gatsas asked how much.

Mr. Ntapalis answered you are looking anywhere from \$300,000 to \$500,000.

Alderman Vaillancourt stated isn't this another matter for another time. Is it relevant to this?

Alderman Gatsas stated my question is...

Chairman Lopez interjected why don't you provide that information...well let me know when you have the information and we will get together with the Aldermen.

Mr. Ntapalis stated I can put it together pretty quick and I will send you copies in advance.

Alderman O'Neil asked, Diane, could we get a list of how you handle this hot line or one stop with other clients along with a suggestion for Manchester. Also, could we get what other communities have done to be a little more proactive with a modified duty policy? Thirdly, is it possible to get the flow charts from Dover and a sample of some of the Massachusetts clients that you have that might be similar in size to the City of Manchester? Would that be possible?

Ms. Symonds answered yes. I don't think they would be much different, but I could certainly do that.

Alderman Vaillancourt stated while we are on the subject of recommendations or requests, I am sure you are not going to like me asking this question, but I would like to have a list of groaners that the department has when it comes to putting people on modified duty downstairs. I am sure we don't want to refer to anybody specifically, but I would want to know that.

Alderman O'Neil asked do you need a motion or is it pretty clear.

Mr. Ntapalis answered we will follow-up and get you the information.



On motion of Alderman Shea, duly seconded by Alderman Vaillancourt, it was voted to receive and file this communication.

Chairman Lopez addressed Item 5 of the agenda:

Communication from Chief Driscoll requesting a transfer of the juvenile court prosecutor's responsibilities from the Police Department to the City Solicitor's Office.

Chairman Lopez stated the Clerk is handing out a letter that didn't get put into the agenda. It is from the City Solicitor's Office. It is just transferring the duties from the Police Department to the City Solicitor's Office but the letter we received from the City Solicitor wants two new positions. Could you explain the grant and how it works, please Chief Driscoll?

Chief Driscoll replied we received a grant, Juvenile Accountability Incentive Block Grant, for the fiscal year 1998. Although we have not expended all of those funds, it has been renewed again for FY99. It allows for as I state in my letter salary, equipment and supplies. We have met with the Mayor's Office and Solicitor's Office, as well as Human Resources. We believe it is in the best interest of the City as well as the individuals who would go before the court if that responsibility were to be transferred from the Police Department. We have done it for perhaps 20 years. When we started doing it, it was when the juvenile court basically started to handle kids differently than they handled adults. Back then it was very simple. It allowed for the court to simply find what was in the best interest of the child. The complications that go along with juvenile crime or juvenile delinquency at this time are very, very severe like we might see up in the Hanover/Lebanon area. Those can be very complicated cases with all kind of ramifications. There is a high work volume here in the City of Manchester and we, in fact, believe it is in the best interest of the City to transfer those responsibilities. I think the group that met and has been discussing this over the last few months has reached consensus on that. The question is how to do it. We searched and found a grant that we believe makes it financially reasonable in that we could provide some salary money, some equipment in the form of law books, computer stations, office furniture and telephones which are all permissible under this grant in order to set the Solicitor's Office up to handle this responsibility. There is a concern on the part of the Solicitor's Office and I would let Dan Muller address that. They believe there is some clerical help necessary and we certainly understand that. We would like to see this grant used to support at least a portion of that.

Chairman Lopez asked and you would be applying for the grant every year.

Chief Driscoll answered yes we would.

Alderman Vaillancourt stated the City Solicitor says he needs two new positions. I don't think you are going to get two new legal positions, an Attorney II and a Legal Assistant for anything like what you are applying for in this grant if I checked the salary of attorneys lately.

Chief Driscoll replied that is correct and I defer to Paul Beadoin who has actually done some numbers.

Mr. Beaudoin stated in our talks with the City Solicitor he felt that just the attorney would not be sufficient for the workload. At his request he wanted to have a part-time legal assistant for that position to help prepare the paperwork and filings and things like that. At the same time he also expressed to the Mayor and to the Human Resources Director that he was short staffed in clerical help right now and if it could be at all placed in with this process that a full time position of a legal assistant would not only be able to help take care of the clerical issues of this grant, but also for approximately half of the persons time they would be able to help with other clerical duties where needed in the office. That is why when you are looking at this Alderman Vaillancourt is correct. There are not sufficient monies to handle both positions but basically both positions are not being fully funded by the grant. It is a full-time position for the attorney and 50% of the cost for the legal assistant is funded through this grant.

Chairman Lopez asked how is it done in the Police Department now. Does the Juvenile Prosecutor in the Police Department get clerical help or does he do the work himself?

Chief Driscoll answered it is probably half and half. He does some of the work and is certainly overwhelmed. He does receive support from our Records Division, but certainly there are some clerical responsibilities involved in this operation and I think we were all in agreement that certainly a part-time person would be necessary and a full-time person would be what we recommend as a group. The Mayor's Office, the City Solicitor's Office, Human Resources and the Police Department did work through this and thoroughly examine it.

Alderman Vaillancourt stated the question is this should be budgeted with the Mayor's budget when he presents the budget for the City Solicitor's Office. I would like to cut back on a position instead of adding one, but I don't think this is the place to come for a new position in the City Solicitor's Office. That is basically what this amounts to. Has the Mayor budgeted this in what he will be presenting to us tomorrow night? I think maybe we should table this until we hear that.

Alderman O'Neil asked is that position currently a Sergeant.

Chief Driscoll answered not it is a patrolman working out of the Juvenile Division.

Alderman O'Neil asked what is their annual salary.

Chief Driscoll answered about \$40,000.

Alderman O'Neil asked plus fringe benefits right.

Chief Driscoll answered yes.

Alderman O'Neil asked within your department you wouldn't charge for the clerical support because you are already paying that right.

Chief Driscoll answered right.

Alderman O'Neil stated in all honesty I don't disagree with the intent but financially it doesn't seem to work. That is my concern. We are barely going to pay for the salary of a lawyer not counting fringe benefits and a part-time person on top of it...

Chief Driscoll interjected we looked at it certainly from a financial perspective but we looked at what we were hoping to accomplish. What we were hoping to accomplish was a couple of things – provide a much needed attorney to do that responsibility. The responsibility has outgrown the Police Department. I think the people who met all agreed with that. We tried to look and see how we could do it with the least amount of financial impact and that was to develop this grant that we believe will certainly support that at least to a degree. Certainly there is some cost to the City, but when those four departments sat down and looked at it, we thought it was a wise thing to do and it received the support of the Mayor's Office. I do believe it is, in fact, in the Solicitor's budget this year to make up the difference.

Alderman O'Neil asked, Dan, do you happen to know and I know you are not the department head but do you know in next year's budget if the Solicitor requested the additional funds for the attorney and the support person.

Atty. Muller answered honestly I don't know. I would have to check.

Mr. Tawney stated in the department's request, he did request the money.

Alderman Vaillancourt asked did the Mayor approve it. Could we table this until we get those answers?

On motion of Alderman Shea, duly seconded by Alderman Vaillancourt, it was voted to table this item pending further information.

Chairman Lopez addressed Item 6 of the agenda:

Communication from John Brisbin, Library Director, requesting to replace two Library Clerks in Technical Services and one Account Specialist II to three Office Assistants.

Mr. Sauer stated I am the Deputy Library Director and to my right is Denise Vanzanten the head of our technical services department. What we are looking to do here is combine three positions within our technical services division and smooth the workflow within that position.

Chairman Lopez stated you are asking for two office assistants at \$56,000 but it is broken down to \$28,000 per person. How does this save us money? It is going to cost us money. Right now you are paying an Account Specialist \$23,000 and you want to Office Assistants at \$28,000 and have another Office Assistant at \$20,000. If you want to save some money, take the two Office Assistants out and we save ourselves \$20,000. I just don't understand.

Alderman O'Neil asked is this argument going to be over \$2,700 and they believe it makes their operation more efficient.

Alderman Vaillancourt stated I have a much more significant argument than that if I might. About three or four months ago I wrote a letter to Mr. Brisbin suggesting that he could save at least one full-time salary if he altered his policy of book renewal. He wrote back to me saying that all of the libraries basically go with two weeks. I extrapolated because I use the Library about ten times as much as the normal Manchester person and the books are renewed every two weeks and I found out how many hours we are spending in manpower reviewing these books. You have at least one full-time person who is sitting there taking book renewals. If you went to a four-week book policy like several other libraries do in the area, you would be able to save one entire staff position as far as I am concerned. This is the type of efficiency we should be looking for and I just stumbled upon this and nobody seemed to take it seriously at the Library so I am not going to be supportive of any positions for the Library until I find that we are using them efficiently and by having somebody sit there renewing books when we could have a four week policy, I just don't think that is efficient. Until I am given an explanation of that, I won't look kindly upon any request from the Library.

Mr. Sauer stated the Trustees are currently discussing the issue that you brought up.

Chairman Lopez asked, Howard, when you say \$2,700 as has been indicated here does that include the 3% merit raise and cost of living raise for next year.

Mr. Tawney answered that is this year's cost.

Chairman Lopez asked so FY2002 would be \$2,700.

Mr. Tawney answered right.

Chairman Lopez asked does that include all of the benefits afterwards. If these two positions were at \$28,237 is that the 5% added on to that?

Mr. Tawney answered I don't believe so.

Chairman Lopez asked so it would cost more.

Mr. Tawney answered yes.

Alderman O'Neil stated that is not true because you would pay that for the existing positions there wouldn't you.

Mr. Sauer replied correct. The existing positions would get the same thing.

Alderman Vaillancourt asked what do these people do. Do they take the requests for new renewals of library books?

Mr. Sauer answered no. This is an entirely separate division. Let me turn it over to Denise who can explain.

Ms. Vanzanten stated my department, technical services, handles the purchasing and processing of all library materials so we oversee the four budget lines that purchase library materials like books, periodicals, films and sound recordings. In my department I currently have two clerks. My Accounting Specialist position was frozen in the last hiring freeze as of July 1. I do not currently have anyone in this position. I as a department head have been doing that job for nine months. The rest of my staff has pitched in to assist with this, but we process over 800 new items a month. We weed older materials out during this time and we also have to clean up problems that staff or patrons find. My staff really does do a lot of hard work and we have been short staffed for nine months. We felt that after evaluating

the Accounting Specialist position that it did not require someone that specialized. I could use someone at more of a clerical level. However, after looking at the Clerk I job description you will see that it is geared more towards what Alderman Vaillancourt was talking about with circulation policies. My staff is much more specialized. They do all computer work. They have to handle two in-house modules – acquisitions and cataloguing. When Greg and I sat down and looked through the Yarger Decker job descriptions we felt that Office Assistant was on par with what a Technical Services Assistant is in most public libraries and this is the proposal we put together.

Alderman O'Neil stated I think we all recognize Alderman Vaillancourt as our expert on the library because he does use it more than most of us and it sounds like from the Deputy Director that they are addressing his concern or his point. I think if this is going to make things in their opinion more efficient, we should approve it. It is only \$2,700 more and they are willing to eat it in next year's budget.

Alderman O'Neil moved to approve the request. Alderman Sysyn duly seconded the motion.

Alderman Shea asked the Account Specialist job would be eliminated and two Library Clerks would be eliminated and they would be replaced by one Office Assistant who is trained to do computer work that would assist you in terms of finance, etc.

Mr. Sauer answered what we are looking to do is replace the Account Specialist position and the two Library Clerk positions with three Office Assistant positions. It is the same number of people.

Alderman Shea replied same number but what I am saying is they would be trained to do work in your department more so than other areas of the library right now.

Mr. Sauer responded yes that is correct.

Alderman Shea stated let me go back to Alderman Vaillancourt. Now he may read more books than I do now but I read more books before Steve was reading but at one time the library did have a one-month renewal process. I am not sure how many years ago that was but I would say 10-15 years ago. They then began the two-week renewal. Of course, you can renew your books twice now but I do agree with him that it would be much better to just have it four weeks unless there is a problem with getting the books back. I am not sure if there is some sort of pilfering involved or people just don't bring them back after a month more so than they would tend to after two weeks.

Mr. Sauer replied I am not sure what the library did at that time.

Chairman Lopez stated I want to make it very clear that right now we don't have the Account Specialist. Is that correct? It has been vacant for nine months and that is why you can absorb the \$2,700 this time and there is \$23,000 budgeted for last year on that? Is that correct?

Mr. Sauer replied it was budgeted for the Accounting Specialist for this year.

Alderman Vaillancourt stated not only would this save your time, but it would save on thousands of citizens of Manchester when I have to call and sit on hold for five minutes to get my book renewed. It is not every book that would have to go for this because obviously the new book such as the latest thriller or something should be on two weeks but I went and visited a friend of mine who gave me a book from the Derry library that said four week book after the librarian had told me that most libraries around here don't have such a thing. I just think in the interest of efficiency of government, this is the kind of thing that should be looked at and whether your Trustees are looking at it or not, I haven't heard anything since I brought this up four or five months ago. I can support this, but I am going to be looking strenuously at your budget request.

Alderman O'Neil stated there seems to be some discussion about you being able to afford to do it this year but in the budget you presented to the Mayor you can still cover that \$2,700 correct. I don't know how you did the three positions in your FY02 budget.

Mr. Sauer replied in our FY02 we did what we currently have now.

Alderman O'Neil asked but the difference in your FY02 could be absorbed.

Mr. Sauer answered we believe so, yes.

Chairman Lopez called for a vote on the motion. There being none opposed, the motion carried.

Chairman Lopez addressed Item 8 of the agenda:

New hire/termination reports submitted by the HR Director for informational purposes.

On motion of Alderman O'Neil, duly seconded by Alderman Shea, it was voted to receive and file this item.

Chairman Lopez addressed Item 9 of the agenda:

Ordinance amendment:

“Amending Sections 33.024, 33.026 (Equipment Mechanic I, Equipment Mechanic II) of the Code of Ordinances of the City of Manchester.”

Mr. Tawney stated this was just changing their...there is a second position description that was not given out because I didn't put it in the packet at the time. I have highlighted the wording in the position description on the second page. This wording was...this is the Equipment Mechanic II position and we are adding this wording to that position. The wording was in the Equipment Mechanic I position and was not needed there so we are deleting it from one and adding it to the other. This is quantifying the acceptable training for the position.

Alderman O'Neil moved to approve the ordinance amendment. Alderman Shea duly seconded the motion. Chairman Lopez called for a vote. There being none opposed, the motion carried.

Chairman Lopez addressed Item 7 of the agenda:

Status report from Chief Negotiator.

Chairman Lopez stated we received a report from the Chief Negotiator and in the interest of time let's have him make his comments and then we can get to the meat of it so we are not here until midnight.

Mr. Hodgen stated of course you have a written status report in your agenda package and I don't really want to belabor that. Perhaps the Board knows that my position was established in 1988 and essentially under the ordinances that were approved at that time the position was given responsibility for the labor relations activities with the various labor organizations with the various unions that existed in the City at that time and of course there have been more of them added to the list of unions since 1988. Essentially I am responsible for all of the negotiations, all of the mediations, all of the fact findings, all of the pre-arbitrations that is a step in the grievance procedure where the Chief Negotiator becomes personally involved, all of the arbitration hearings and all of the work that goes along with that. Since 1988 I have personally handled every arbitration hearing in the City except for one in the Police Department, which had an associated civil rights suit with it and an outside law firm was working on the civil rights suit and it was a very complicated matter so that particular arbitration hearing which lasted for six days was handled by an outside attorney. Right now, I am engaged in negotiations



for the School District with the so-called MESPA bargaining unit, which is essentially the educational support personnel – the school secretaries and clerical help and also with the bargaining unit that represents that educational assistants. Their contracts expire on June 30. Of course the goal is to negotiate a new contract before they expire. Time will tell. I am not sure whether that will be accomplished or not. Additionally, as a result of the current contract with the firefighters we are negotiating with them to establish a drug and alcohol testing program. We hope to resolve that by next July 1 and if we have any sticking points with regard to that program by virtue of the agreement the remaining issues will be presented to an arbitrator whose decision in those aspects would be final and binding. The Board perhaps knows that there are 14 bargaining units in the City counting the 4 bargaining units that exist in the School District. I think it is fair to say that the School Board does not have to use my services any longer because they are a separate School District at least for the moment. I am pleased to learn that they virtually always do use my services. The one exception was that they did originally negotiate with the school principals without my assistance. Nonetheless, I have been consistently involved with the teacher negotiations and with the various bargaining units there. Most of the City bargaining units – 10 of them, have contracts that do not expire until June of 2002. As you know, that is a year from this June and so we will be involved with negotiations with all of them I hope no later than this fall and I believe that a lot of major decisions will need to be made in preparation for those negotiations and I expect that I will be meeting with either this Committee or the full Board, whatever is decided, to talk about preparing for those negotiations and to deal with any strategy issues that need to be clarified before those negotiations begin. We have had, as we know and still pending tonight is the Solicitor's opinion with regard to the ordinances. We have had some discussions with this Committee in the past with regard to grievance procedures so I would like to take just a few minutes to spell out the basic format for the grievance procedure in all of the City contracts. The grievances are defined by the statute and I guess perhaps to preface all of my remarks the relationship between the City and the bargaining units in the City, the unions in the City, is governed by state law. It is governed by RSA 273:A. The state law is quite specific as to what must be done and what is prohibited. Therefore, I always attempt to conduct myself consistent with the statute because if I do not I suppose that I could personally be charged with an unfair labor practice. Thankfully, that has never happened in my career and frankly I would not like that to happen. Grievances are complaints or differences as to the rights that the employees have under their collective bargaining agreement. Essentially, the entire employment relationship between the City and bargaining unit employees is governed by their contract. From time to time, employees feel that they haven't received what they are entitled to and that perhaps they haven't been treated fairly. All of the bargaining units in the City have a grievance procedure, which is mandated by law. The law requires a workable grievance procedure in every collective

bargaining agreement so employees can approach their immediate supervisor and personally or with the assistance of a union representative discuss the nature of the complaint and I think in many instances it is a misunderstanding or an oversight. Perhaps somebody didn't get paid for some overtime work that they performed. If it is a simple oversight type situation in all likelihood it will be resolved at the level of the immediate supervisor and there won't be any need for it to be pursued any further. In the instances when either the immediate supervisor has no authority or he disagrees with the claim then the grievance has to be reduced to writing and the union has to become involved. It then goes either to a deputy department head or in some cases directly to the department head who hears the nature of the grievance and makes a decision and conveys that to the union. The goal of all grievance procedures is to resolve the issues at the lowest possible level. However, we do get into situations where the matter cannot be resolved or the department head does not want to resolve it and in a case like that the union next May if it wants it can ask for a pre-arbitration meeting. The Chief Negotiator's position is required at all pre-arbitration meetings. I talk to the department ahead of time. I examine the grievance ahead of time. I review the timelines that are associated with the contract to be sure that they have been met and then as a rule we will hold a meeting in the department with the grievant and his union representatives or her union representatives meet with us and explain their complaint and then in some instances we settle them. In many instances where there is a difference of opinion we do not settle them and then the union has a specified amount of time to file for arbitration if that is their choice. In most cases, requests for an arbitrator are filed with the NH Public Employee Labor Relations Board and an arbitrator is assigned by them after the two parties receive a list of six arbitrators and make their preferences known. In one contract, that being the patrolmen, the American Arbitration Association is still involved and the same basic procedure is used with the American Arbitration Association. As I said, an arbitrator is assigned one way or the other. The arbitrator contacts us to set-up a hearing date. On the date of hearing, the two parties present their cases to the arbitrator. In many instances the unions are represented by an attorney. As I said in all instances except one I represented the City. We present witnesses. We present documents. We make arguments either at the close of the hearing or by written brief after the hearing is concluded and then the arbitrator issues a decision, which is final and binding. As the NH Supreme Court has observed a grievance procedure is necessary in order to resolve disputes otherwise the contract may be rendered meaningless. That takes some of my time and some of my activities are devoted to those types of things. Other portions of my time are devoted to what I call or what the ordinances frankly call contract administration. Those entail advice to departments as to how to proceed in certain instances, what is required under the contract, what is allowed, what isn't allowed, and how to accomplish particular goals that a department might have that would not be inconsistent with the contract. That essentially is the nature of my responsibilities

as the Chief Negotiator. I also hold responsibilities as the Employee Relations Manager in the Human Resources Department. There I assist or frankly I in theory head one of the divisions of that department which deals with recruitment and to some extent ordinances and classifications and things of that nature. As I said, I don't want to belabor things more. I would be happy to answer any questions that you would have.

Chairman Lopez asked in your letter where you state "I do not tell any department head what to do" and then further down you state "I do not and I would not file charges against any union over the objection of the department head" if there is a violation of the contract and the department head recognizes that he can violate the contract and you wouldn't do anything about it.

Mr. Hodgen answered no. If a department head violates a contract and from time to time those things do happen, then the union will file a grievance and I would become...now hopefully the department head or somebody else on the department staff would talk to me ahead of time and ask can we do this without violating the contract or how should we do something so that if it is challenged we will prevail. It is kind of like preventative medicine and where we can do that, that is the best approach. In other cases though, a department head may discipline an employee. A department head may promote an employee and another employee is slighted or feels that he deserves the promotion more. I do not believe under the ordinance that I have any authority to overrule or direct a department head. Now I suppose some of them may think I am forceful at times. I am not bashful when it comes to telling a department head that I think he has clearly violated the contract and if we go to arbitration we are going to get kicked down a flight of stairs. I cannot think of any instances where a department head has told me, David, I don't care what you think I want to go to arbitration anyway. I think that my judgement is respected enough so that if I tell a department head that it is a loser then at the pre-arbitration meeting we are intent upon settling the matter. Now I do always attempt to settle a matter to the advantage of the City. I see my job as being the advocate and the representative of the City. The unions have attorneys. The unions have experienced staff people and out of a situation of advocacy it is their job to protect themselves and it is my job to protect the City. I don't believe in abusing people, but still it is not my job to tell the unions what to do or how to do it. I stand on what I said. In some instances I would recognize...I don't want to get into specifics unless you insist, that the arbitration case has lots of problems and that we may have less than a 50% chance of prevailing but if for instance it is a discipline case and an employee has been terminated you can usually think that is going to go to arbitration. If I see weaknesses in the case, I will point them out to the department head. As you may understand, the department heads have strong feelings in those matters and even if they know that there are some weaknesses and they want to go to arbitration anyway and take their chances that

the arbitrator will uphold the termination, I don't feel that I have any authority to tell a department head no we will not pursue the case you have to take the employee back. Another area is in promotions and that is the most recent case that I had. A department head promoted several folks and one of the employees felt that he should have been promoted. A grievance was filed. The department head felt strongly that he had made the right decision that the employee did not deserve a promotion. I suppose there are always risks when you go to arbitration. Sometimes they are hard to predict. Nonetheless, we went to arbitration and thankfully we got the decision about a week ago and we prevailed. There can be an awful lot at stake in those cases if a department head's right to discipline employees or promote employees is adversely affected. That is a serious problem for the department and I think department heads understandably feel very strongly in those areas. I stand on what I said. I do not tell any department head how to run his department and I do not tell any department head that I will not process a grievance and I do not ever file an unfair labor practice complaint or something of that nature if the department head does not want that done.

Chairman Lopez asked how do you communicate in the overall evaluation of what is going on out there that affects the City. Is it through HR? I have been here 13 months and as a full Board we have never had you come there. If the ordinance says you report to the full Board, how do you communicate with us?

Mr. Hodgen asked with regard to negotiations when it comes time to begin the negotiation process I feel very strongly that I have no authority to make decisions for the City. It is not what I think so I meet...

Chairman Lopez interjected I think we all understand the negotiations. I am talking about problems that are developing all year long. How do we know what is going on out there if you don't report to somebody? Who do you report to?

Mr. Hodgen replied with regard to negotiations I report to the full Board. With regard to grievances and contract administration and so forth, I suppose I do not report to the full Board about that. I am not adverse to filing status reports or something of that nature. I guess my thoughts on that are that in those instances I am working for the department. Although it is a contract between the City and the departmental employees, the department head and the department staff have to work with that on a daily basis and they know what is happening because they are involved personally or their staff members are and they get copies of the arbitration decision and I am available any time that they have concerns or they want to know what the status of a particular matter is.

Chairman Lopez stated but in reality we get a lot of complaints from a lot of people out there. I am just wondering if there is a problem out there maybe you

could provide a status report or something to this Committee so we understand what the problem is. Nothing has ever come before us unless we end up in some of the things that we have ended up in in the past and I think that is where I am...I don't want to be there. There is a human element here and that is what the problem is.

Alderman Shea stated you spoke very eloquently and at length about your relationship with unions. Do you have interaction with non-affiliates as well?

Mr. Hodgen replied I have had from time to time in the past. When I first came here...well even before I came here the non-affiliated employees...

Alderman Shea interjected let me break it down. Do you have any interaction with non-affiliates?

Mr. Hodgen replied in recent time I have not conferred with them.

Alderman Shea asked so basically your relationship is more with the unions and contracts and things. A second point is when you are not negotiating then there are times obviously when you are more directly involved with negotiations that will come up you said in the year 2001 or near the end of 2001 for 2002 contracts. You also list as part of your responsibilities the fact that you will report directly and be responsible to the Human Resource Director. Can you explain what you have done in addition to being a Chief Negotiator that would involve certain interactions or duties that you have been responsible for as far as what the Human Resources Director has given you?

Mr. Hodgen answered as part of or ancillary to the Yarger Decker Study the Human Resources Department was reorganized and Mr. Decker met with me and wanted to know would I be willing to take on the role of Employee Relations Manager on top of Chief Negotiator and I told him yes but that I was concerned about getting caught in the middle. That is why I cited that language in my memorandum. I am responsible to the Human Resources Director in my role as the Employee Relations Manager. He has in the past asked me to work on particular projects. The one that springs to mind was the rewriting of the City's sexual harassment policy. In theory, I am the head of the Employee Relations Division. That doesn't encompass many folks in the Human Resources Department, but it does encompass Christine Martinsen so on a very regular basis Christine and I meet. If she has questions or concerns with regard to a project that she is working on, whether it is recruitment or perhaps some form of employee investigation or something of that nature, I am available to help her or advise her and get involved in discussions with regard to changes in ordinances. Perhaps you see associated with the one that is coming up that about a year ago I researched

what the history was with the unions as far as demotions were concerned and sent a memorandum to the three department heads who were involved at that time I suppose in my guise as the Employee Relations Manager. I do take direction from the Human Resources Director. I do, sometimes, get caught in a conflict of interest. I have in some instances said to Mr. Hobson look I can't really do what you are asking me to do. One for instance was that in several of the contracts we did not resolve the A-STEP criteria. It was too complex. It was holding up the whole rest of the contract. We agreed to have a joint labor management committee to resolve those things after the contract was ratified but in all of those instances, which were with the AFSCME contracts and with others, it was clear that if the joint labor management committee could not agree on the A-STEP criteria then the contract would be reopened and that matter would be negotiated.

Alderman Shea stated just to summarize, you work primarily as the Chief Negotiator when there are contractual problems and when you are not which would be this time because let's face it you don't have the same intensity of work during this past year so what you are saying is that you report to the Human Resources Director or whomever because we don't have one now so who do you report to.

Mr. Hodgen replied I anticipate that the Board may or somebody may appoint an acting Human Resources Director.

Alderman Shea stated but nobody is doing that now so who do you report to in Human Resources.

Mr. Hodgen replied Mr. Hobson is still on board until the end of the month.

Alderman Shea responded I thought he left on March 20.

Mr. Hodgen replied no he is leaving at the end of the month. Thereafter that will be a very difficult question for me to answer. If the Board...

Alderman Shea interjected there is no real defined role that you do play in terms of other than the Chief Negotiator. You were mentioning that you do, at times, work with Jackie or with Howard or someone, but you don't really have a defined job description in terms of that?

Mr. Hodgen replied sure I do.

Alderman Shea asked do you go to them or do they ask you.

Mr. Hodgen answered I have a class specification like every other employee in the City and it spells out what my responsibilities are in that class specification or job description.

Alderman Vaillancourt stated I want to ask three very direct, not open-ended questions because maybe it is me but your answers to me are just rambling. So I don't want to ask open-ended questions. Maybe a yes or no or one sentence answer. Your association with the School Board when you negotiate teacher's or principal's contracts is that a chargeback on the School account?

Mr. Hodgen replied yes.

Alderman Vaillancourt asked so your services would be a chargeback to the School District.

Mr. Hodgen answered yes.

Alderman Vaillancourt asked when you talked about these department heads that may be pursuing grievances that are not justifiable or less than 50% justifiable or something like that, if there is a pattern of department heads who are pursuing these kind of grievances that you don't believe are completely justifiable or we are likely to lose, would you feel obligated to report to the Human Resources Director to this Board that there is a department head who is continually doing this. That is a yes or no question.

Mr. Hodgen answered there is no such department but if there were I would not be hesitant to report that to this Committee.

Alderman Vaillancourt stated finally we are coming up on a new set of negotiations for next year. Would you feel that you would want to come to the Board of Mayor and Aldermen to get your instructions as to how hard a line you should take? I ask that specifically because we have given away, if not the store, than at least some part of it in the Yarger Decker Study and my idea would be we should take a harder line. Would you want to get direction from us before you enter into those negotiations and that is a yes or no question also?

Mr. Hodgen replied yes and I always have in the past.

Alderman O'Neil stated just to review the grievance process so that I understand it, if an employee has a problem they take it to their immediate supervisor. If it is not resolved it then goes to the department head.

Mr. Hodgen replied in some cases there is a deputy in between.

Alderman O'Neil asked if it is not resolved there then they would go to pre-arbitration and then on to arbitration.

Mr. Hodgen answered yes.

Alderman O'Neil asked under the old system didn't the commissioners play a role in grievances.

Mr. Hodgen answered yes.

Alderman O'Neil asked so if the employee did not agree with the decision of the department head it would then go to the commissioners.

Mr. Hodgen answered yes.

Alderman O'Neil stated so formally there was one step between the department head and pre-arbitration and if I recall most of our bargaining units under the old system of commissioners were represented by departments that had commissioners to the best of my knowledge.

Mr. Hodgen replied I think that is generally true. I have a hard time thinking of exceptions.

Alderman O'Neil stated so there formally was another step that maybe would have prevented a lot of the stuff that ends up here that might not be appropriate here but there was another step.

Mr. Hodgen replied right. The only comment I would like to make is that in most cases, in many cases, the commissioners did not take an active involvement. They passed whatever the judgment of the department head was through.

Alderman O'Neil responded I disagree. We used to have liaisons and I was the liaison to the Fire Department and they took a very active role in problems.

Mr. Hodgen stated I don't want to debate. If the commission settled the grievance than it was settled. They were part of the process.

Alderman O'Neil asked does state law allow for a municipality to set-up a board or anything between a department head and pre-arbitration.



Mr. Hodgen answered state law only requires a workable grievance procedure. It leaves the design of that grievance procedure to the parties – the City and the union.

Alderman O'Neil asked so if we wanted to set-up and I am throwing this out and I am not suggesting this but if we wanted to set-up a five person pre-arbitration hearing board or something we could do it it would just have to be negotiated as part of the grievance procedure.

Mr. Hodgen answered yes. I don't think there is anything to prevent that legally.

Alderman O'Neil stated the only comment I want to make about pre-arbitration and arbitration and all that is we seem to lose focus sometimes that it is not only you who has to go to these meetings but it is in many cases department representation whether it be the department head or the deputy, the employee and sometimes more than that. We forget that all of that time costs the taxpayers money because even though that is your job, for the other parties involved their job is to be doing some service to the citizens of the City. Is that a fair statement?

Mr. Hodgen replied yes it is only part of the story but a fair statement.

Alderman O'Neil responded I don't think it is part of the story. It is a fact. If you have an issue in the Police Department, the Police Chief should be administering the Police Department and the officer or supervisor involved should be out doing a specific task as a police officer.

Mr. Hodgen replied yes but without being argumentative if it is that the Police Chief has fired a police officer and...

Alderman O'Neil interjected that is an extreme situation.

Mr. Hodgen stated we go through 10 or 12 arbitration hearings a year. Most of them are either disciplinary, promotional or things that affect their budgets.

Alderman O'Neil stated my point and I am not here to debate it with you tonight is that all of this grievance process and I am not saying it is not needed, costs the taxpayers of this City money from lost time from jobs that should be getting done. Are we going to take up Item 10? Can I make a suggestion? We paid and I know at one point it said that it had nothing to do with Decker but could we take and I am aware of two problems – one in the Health Department...

Chairman Lopez interjected are you talking about Item 10. Let met just finish with Item 7. Thank you, Mr. Hodgen, for your explanation. We are all here to try to do the best we can and take care of the employees.

Alderman Vaillancourt stated if it needs to be said, I would just like to punctuate Alderman O'Neil's point. I completely agree with him and I think everybody on this Board probably does.

Chairman Lopez addressed Item 10 of the agenda:

Communication from David Hodgen, Chief Negotiator, regarding an Ordinance amendment to Section 33.046(F), Starting Rate on Demotion to be submitted.

Alderman O'Neil stated I am aware of two cases and I don't know if I heard David say earlier there were three of them on this demotion but there was one at Water Works. There appears to be one at the Health Department and I am not sure what the third is.

Mr. Hodgen replied I don't remember saying three but I am aware that the ordinance was applied when an employee transferred from the Airport to the Police Department so that might be the third one.

Alderman O'Neil stated what I was going to suggest and I don't necessary have a problem with what has been submitted but it might make some sense...we spent hundreds of thousands of dollars on Yarger Decker and I don't know if he feels he owes us any more time...

Chairman Lopez interjected we don't want to bring him back.

Alderman O'Neil replied I am not saying to bring him back. All I am saying is get an opinion from him without costing us any money. If he won't do it for free, that is fine. Take the two examples...we need kind of an independent look at this. Take the two examples of where there were problems and I am not sure I understand this whole process. The Water Works one confuses me to be honest with you. If you take these examples and ask him based on the new proposed ordinance if those would have been corrected because I am not convinced they would have been. This all comes down to interpretation. I just don't see the problem going away with the new ordinance.

Chairman Lopez stated I think that what he is trying to do here with the new ordinance is make everybody equal and that is what we asked him to do. Howard, do you want to comment on this?

Mr. Tawney stated the practice used in the past with the bargaining units was that if a person was demoted or wanted a demotion he moved and he was on one of the grade scales and he was at say Step 5 so if he took a demotion he would move down to the appropriate grade at Step 5 and that is how it functioned. In the wording in the ordinance that always existed, there was wording in there basically saying that if the employee took a demotion and it was not for cause or some disciplinary situation or something like that, that it would be done for the least impact on the employee. In other words if he went from a Grade 16 making \$15/hour and went down to Grade 14 and there was a place on the scale that came out to be \$15.55 then you could move down to that lower grade with the least impact. When I first read that, I thought that was possibly a reason for there being a reduction in force but as David and I discussed it, that didn't really make sense because you wouldn't really save any money if you were having to reduce people in force because of a budget situation. I don't know how it came about that that was the policy. It existed for a very long time before and as Decker went through he didn't see anything wrong with it as he was going through and doing the policy changes and it really didn't affect compensation and benefits so he really didn't address it. That is what I think took place.

Chairman Lopez stated in the packet there are some department heads who agreed to the change because it was confusing all the way around.

Alderman O'Neil stated I think it is still going to come down to interpretation. What I would like to see...if we don't want to use Decker that is fine but I want HR to take the two instances that I am talking about and show with this new ordinance how that would be affected. I got a voicemail from a department head today and it confused me more than ever.

Mr. Hodgen stated the department heads did fax the calculations for those two individuals recently, which I would be happy to provide to the Committee and it shows what would happen under the ordinance as we proposed and what did happen under the ordinance as it stands now.

Alderman O'Neil replied that would be helpful to me. I would also...David there seems to be a number of e-mails about something that happened at the Health Department.

Mr. Hodgen stated I feel a little reluctant to encapsulate Fred Ruczek but he has a situation where an employee wants to take a demotion...

Alderman O'Neil interjected can't we take what would happen with the existing ordinance and how it would be handled under the new ordinance and actually show numbers.

Mr. Hodgen replied yes we could.

Alderman O'Neil responded that would be very helpful to me.

Mr. Hodgen stated Fred Rusczek and Frank Thomas are saying that they can't justify moving an employee from a higher job to a lower job with fewer responsibilities and continue to pay a higher rate of pay.

Alderman O'Neil stated that is what this comes down to. Then departments are still going to interpret this thing...I want to see actual numbers and how this affects the employees.

Mr. Hodgen replied let me provide the two...

Alderman O'Neil interjected you just made a point. You said two department heads don't believe that if a person is put in a lower grade that they should receive what you are saying they should in the new ordinance.

Mr. Hodgen replied no, what the ordinance does say presently.

Alderman O'Neil asked can we get those two examples put down on a piece of paper with the dollars and cents under the existing ordinance and what it will be under the new proposal.

Chairman Lopez stated if that is what you want, we will get that for you.

Alderman Shea asked if someone is doing work at this level here and getting say \$300/week but they don't want to have that many responsibilities, they want to have fewer responsibilities but they want to get paid \$300/week for doing less, that doesn't make sense. Do you agree that they should get less money?

Alderman O'Neil answered I do but the example that was given in the Water Works and the voicemail I got from the Director completely confused me. The people who went down were still making more money than someone at a higher grade, etc.

Mr. Hodgen stated based on the numbers that Mr. Bowen provided, the two folks that we were involved with with the Water Works on an annual basis for one of them there is a \$3,307 difference between handling it one way or the other way.

In other words to handle it the way the ordinance is currently written would cost the city \$3,300 more per year than it would the way we propose the ordinance should be changed. The other instance would cost \$1,747 more per year with the ordinance as it is currently written as opposed to the way we proposed it should be changed.

Chairman Lopez stated that is the point that we brought up at the meeting before. We want to treat everybody the same and bring it down. It is not getting more money. Under the existing ordinance if you don't do it and maybe you are asking for those numbers that he just gave but we can get it in more detail if you are looking for that. I think the point being that everybody should be treated equal and that is what we said here.

Mr. Tawney stated at Water Works what I think Tom Bowen was trying to convey to you was the fact that when it all ended up that because of this demotion using the existing demotion policy the person went in and is a junior person in the department that he was working in and is now getting paid more than people in the new grade, the lower grade that he went to that have six or seven years seniority over him and that is where his problem was.

Alderman O'Neil asked can we get that example laid out.

Chairman Lopez answered yes but also indicate the years of seniority. You don't lose your seniority.

Mr. Tawney stated this was other people who were not demoted but were working in the area.

Alderman O'Neil asked are you saying that you can't use the Health Department example.

Mr. Hodgen answered I think we can ask Fred Ruscsek to do the calculations but he is opposed to it philosophically because he wants to move this person down but he does not feel that it is just.

Alderman O'Neil asked under the new ordinance.

Mr. Hodgen answered no, under the old ordinance. The old ordinance has not changed.

Alderman O'Neil stated I am not asking for philosophical. I want dollars and cents. Old ordinance versus new ordinance. There are a number of e-mails in here that are public record. They never mention the name.

Chairman Lopez asked how many department heads approved this ordinance.

Mr. Hodgen answered the three who are most involved in it are Tom Bowen, Frank Thomas and Fred Ruscsek. I don't know if it would affect other departments. They did not weigh in on it. Those three department heads have strong feelings that the ordinance should be changed and that is reflected in their e-mail. The trouble with e-mail is that you have to read it upside down. It is an awful nuisance.

Chairman Lopez stated let's get the numbers and get a sample on both ordinances so we can see the comparison.

Alderman O'Neil asked can we get more than one example that has actually happened.

Alderman Shea asked do we need to make a decision to change the ordinance tonight.

Chairman Lopez stated if Alderman O'Neil wants to wait until he gets the information to change the ordinance, it is up to this Committee. I think...Howard I guess you are recommending the ordinance as written. Is it important for us to get those numbers?

Alderman Shea stated in essence what we want to do is make this fair to all the people. In other words, personally if I were in a department and somebody was working in a particular job in another section and I was working there 10 years and somebody came down and is making so much more wouldn't that result in a grievance. These people can probably say what is going on here. This guy is being demoted or this woman is being demoted and they are getting \$300 more than I am for a month or something. That doesn't make sense.

Mr. Hodgen replied I think it makes for dissention among co-workers.

Alderman Shea responded that is what I am saying. Why should we wait? Let's do it tonight.

Alderman O'Neil stated if you guys want to vote on it tonight, vote on it. I am going to oppose it. I am asking that we table this.

Alderman Shea moved to approve the proposed ordinance amendment and refer same to the Committee on Bills on Second Reading for technical review.

Alderman Vaillancourt duly seconded the motion. Chairman Lopez called for a

vote on the motion. The motion carried with Alderman O'Neil being duly recorded in opposition.

Alderman O'Neil stated well don't provide the numbers now. We made a decision.

Chairman Lopez addressed Item 3 of the agenda:

Communication from Atty. Muller regarding the role of the BMA in the administration of CBA.

Chairman Lopez stated it is up to the Committee whether we discuss this in public or go into non-public session.

Alderman Vaillancourt stated I don't think it should be confidential. I don't see anything confidential in here at all. There is nobody here anyway.

Chairman Lopez replied but we have to do it according to the law. Dan, could you explain that?

Atty. Muller stated obviously I am counsel for the Committee and counsel for the Board. As such I render legal advice. My advice is subject to attorney/client privilege. As it is a privilege, however, it can be waived by the client. Obviously the reason it is there is that whatever the Committee or Board does I defend and it is there to protect so I can give you advice and if you decide to act differently, I can still defend it.

Alderman Vaillancourt moved to waive the confidentiality. Alderman Shea duly seconded the motion. Chairman Lopez called for a vote. There being none opposed, the motion carried.

Alderman Shea stated I did discuss this with Dan and he indicated and this is just for general Board information, the impact is not on non-affiliates. It is mostly on affiliated employees who have union contracts. It has to do with current benefits for an affiliated employee if they want to grieve a particular matter. That should be something that should go through a grievance process rather than be handled at the Human Resource Committee level. Now there may be disagreement here but one of the problems, at least from perspective is that in the past we have made decisions not knowing whether or not it is, I guess, that kind of a matter. I certainly wouldn't want to get into a situation where we are doing something that would be in opposition to a contractual agreement and I think there have been instances where we have done that and I certainly wouldn't want to do that and I

don't know if other members feel the same way. I think that is really what the crux of the matter is. Is that correct, Dan?

Atty. Muller replied that is correct. Obviously if any Committee member or any Alderman has a question with regard to a particular matter that has been referred to them as to whether it does implicate a collective bargaining agreement, they can refer to my office or probably more appropriately to the Chief Negotiator as he is the individual who is most familiar with the collective bargaining agreements in the City.

Alderman O'Neil asked, Dan, can you tell me about those two cases that Alderman Shea referred to.

Atty. Muller stated in terms of what we discussed in terms of a couple of examples where there were matters that were essential...

Alderman O'Neil interjected are you saying there were more than two.

Atty. Muller stated there are other matters that involve essentially what were grievances and, in fact, in some of those cases grievances were filed.

Alderman O'Neil asked can you get us a list of those.

Atty. Muller answered yes.

Chairman Lopez stated you make reference to the City Charter and in the Charter under 311 (D) the Board could give authority to the commissioners to oversee this.

Atty. Muller replied I did not look at that particular issue. I was just looking at the issue with regards to the Board of Mayor and Aldermen.

Chairman Lopez stated any issue that the Board wants to give authority to the commissioners to solve that goes back to Alderman O'Neil's...the commissioners were in the process under the old Charter and under the new Charter the Board has the authority to give the authority back to the commissioners to solve these.

Atty. Muller replied if the Committee wants me to look at that issue, I would be happy to.

Chairman Lopez responded it is in the Charter. I will have to get it.



Mr. Hodgen stated I don't know if any union would object, but the grievance procedure does have to be agreed to by both the City and the union. I don't think the Aldermen could force the unions to include a commission in the grievance procedure.

Chairman Lopez replied I agree with you. I am only referring to where the Board of Mayor and Aldermen as the authority could give the commission, let's say Parks & Recreation if we had a department head abusing power or whatever you want to call it, we could authorize the commission to look into those subjects on grievances under the Charter in my viewpoint. We could give them the whole authority back if we want to to run the department.

Mr. Hodgen stated that is outside of the grievance procedure.

Alderman Vaillancourt stated Alderman O'Neil mentioned earlier tonight the possibility of a pre-grievance panel of some sort. We could conceivably make that this Committee couldn't we?

Mr. Hodgen replied if the Board of Mayor and Aldermen want to do that and since contracts are renegotiated to include that it could be done. Everybody understands that that would not give the Committee the jurisdiction necessarily to decide a grievance. If the Committee ruled against the union, the union still could go on to arbitration.

Alderman Vaillancourt stated in other words the department head could still insist upon it as well.

Mr. Hodgen replied I don't think so. If the commission came after the department head level, the commission could settle the grievance I suppose over the department head's objection.

Alderman Vaillancourt stated I am not talking about the commission, I am talking about this Committee.

Mr. Hodgen replied the Committee could, I suppose, settle the grievance over the department heads objection.

Alderman Vaillancourt asked so such a move would be only to the union's advantage.

Mr. Hodgen answered in my opinion.

Chairman Lopez stated I can tell you David and Howard that from experience of being on a commission the complaints that I have heard from department heads in the past were like I have to go up and spend four hours up there and I have to take my deputy up there and I have to take my business service officer up there. These are the things that if we can solve something...I don't know where solving the problem is but you can have 10 people up there testifying in order to win and that is money as Alderman O'Neil pointed out.

Mr. Hodgen replied I know that Clem Lemire hated to go to arbitration. They got their tails kicked so many times that they got sick of it. I know that Ron Ludwig or Paul Sowa don't like going to arbitration but they are in the driver's seat. They can settle. They have the authority to settle the grievance and prevent it but a lot of times the issue is so important to them that they have to swallow the bitter medicine and go to the hearing. They make the decision. I don't make a department head go to arbitration ever.

Chairman Lopez stated well I don't want to prolong this, but I can tell you from experience that it is personalities when it comes to grievances and that is all it is. They will go all the way up and they could solve the problem in 10 seconds but they won't because they don't like the individual. With that being said, are there any other questions?

On motion of Alderman Shea, duly seconded by Alderman Vaillancourt it was voted to receive and file this item.

### **TABLED ITEMS**

11. Communication from Alderman Lopez advising of previous actions relative to ordinance amendments submitted by the Mayor, and requesting the Board allow the Committee on Human Resources/Insurance to review the administrative and financial functions of the city with an eye towards improving the organizational structure and efficiency of these operations and associated internal controls with a recommendation to be brought forward to the full Board.  
(Tabled 1/16/01)

This item remained on the table.

12. Ordinance Amendments:

"Amending 33.076 (Special Leave) of the Code of Ordinances of the City of Manchester."

Providing for amendment to Section D as follows:

"In addition to other leaves authorized by this subchapter, a department head and/or the Human Resources Director with the approval of the Mayor, may authorize an employee to be placed on administrative leave with or without pay in the interest of the City, for a period or periods not to exceed twenty work days in any calendar year."

"Amending Section 33.076 (Special Leave) of the Code of Ordinances of the City of Manchester."

Providing for amendment to Section D as follows:

"The Human Resources Director may recommend to the Mayor for his approval up to twenty (20) days of administrative leave, for employees, for purposes that are beneficial to the City. Such leave is chargeable to the employee's department."

"Amending Section 33.048 (Advancements within Pay Range) of the Code of Ordinances of the City of Manchester."

(Tabled 01/16/01)

This item remained on the table.

There being no further business, on motion of Alderman Shea, duly seconded by Alderman O'Neil, it was voted to adjourn.

A True Record. Attest.

Clerk of Committee